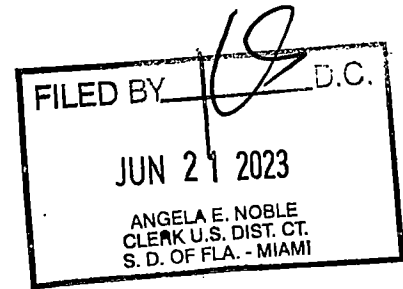


UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
FLORIDA
(Miami Civil Division)



FRANK POLO, et al.
Plaintiffs,

v.

BERNSTEIN, et al.

Defendants,

CASE NO: 23-CV-21684 /

NEEDED BY TODAY JUNE 21, 2023

***EMERGENCY MOTION FOR EXTENSION OF TIME TO FILE THE SECOND
AMENDED COMPLAINT***

Comes now the Plaintiffs, FRANK POLO, FP, and HP, and herein respectfully requesting this honorable Court, Pursuant to *Fed. R. Civ. P. 6(b)(1)*, that this honorable Court grants the following *Emergency Motion for Extension of Time to File The Second Amended Complaint*, and in support thereof states as follows:

1. On May 8, 2023, this honorable Court entered an order striking the Complaint and giving the Plaintiffs 14 days to amend the Complaint.

2. The Plaintiffs timely filed the First Amended Complaint, but due to time constraints and the fact that Mr. Polo presents a medical condition that makes it difficult for him to respond in such a short lapse of time, Mr. Polo was never able to fully finish reviewing the complaint. The same will happen this time if Mr. Polo is not allowed more time to file his second amended complaint.

3. Mr. Polo has filed a Motion to file under seal a Medical Report, which shows that Mr. Polo presents a medical condition that makes it more difficult for him to properly amend the complaint by June 22, 2023, in case this honorable court wants to see the report. Moreover, this

condition has been exacerbated by the long history of unnecessary malicious litigation generated by many of the defendants.

4. On June 8, 2023, this honorable Court rendered another order striking the Plaintiffs' complaint, and granting two weeks to amend the Complaint, making June 22 the dateline to file an amended complaint. As of now, the Plaintiffs will not be able to review the more than 100 pages complaint and amend this in a timely manner before June 22, 2023, without presenting a motion that will be subject to be stricken once more.

5. The plaintiffs are indigent and have no resources to pay a competent attorney to present this court with a competent complaint in such a short time. Therefore, the Plaintiffs need more time to review the applicable law and to be able to file a complaint that complies with the requirements stated in the Second Order Striking Complaint.

6. The plaintiffs' causes of action accrued on May 9, 2019, and on May 5, 2023, and to terminate the plaintiffs' interest in property Mr. Polo filed his complaint with this honorable Court.

7. If this Court strikes the Plaintiffs' complaint, then the plaintiffs will be left without a legal solution to the multiple deprivations of their constitutional rights without due process of law, that the plaintiffs suffered. The statute of limitations will not allow the plaintiff to file a new complaint, and they will be deprived forever of having a legal solution to the damages they suffered as a consequence of the Defendants malicious acts.

8. The plaintiffs, in this case, do believe they can fix the errors this court found, in addition to other errors Mr. Polo found. However, this will not be possible in such a short time.

9. Previous attempt to get this matter resolved as an *Expedited Motion for Extension of Time to File The Second Amended Complaint* was done on June 20, 2023, however, as of today June 21, 2023, 10:49 AM, only two of the documents I filed, unrelated to this petition, were filed on the docket. Therefore, in an abundance of caution, the plaintiffs are filing this emergency motion.

10. **WHEREFORE**, the Plaintiffs, in this case, are respectfully asking this honorable Court to grant the *Emergency Motion for Extension of Time to File The Second Amended*

Complaint and to extend the time to file an amended complaint for an additional 60 days, making Monday, August 21, 2023, the new deadline to present this court with a final Amended Complaint.

CERTIFICATION OF EMERGENCY

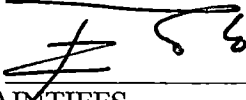
After reviewing the facts and researching applicable legal principles, I certify that this motion in fact presents a true emergency (as opposed to a matter that may need only expedited treatment) and requires an immediate ruling because the Court would not be able to provide meaningful relief to a critical, non-routine issue after the expiration of seven days. I understand that an unwarranted certification may lead to sanctions.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the forgoing *Motion will NOT be served on* any of the Defendants because they have not yet been served with the summons and complaints.

Respectfully submitted on this 21 day of June 2023.

BERNSTEIN, et al.

By: 
PLAINTIFFS
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